

No. 03-20-00497-CV

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**In the Court of Appeals for the Third Judicial District  
Austin, Texas**

3RD COURT OF APPEALS  
AUSTIN, TEXAS  
11/6/2020 11:10:24 AM  
JEFFREY D. KYLE  
Clerk

RUTH HUGHS, IN HER OFFICIAL CAPACITY AS  
TEXAS SECRETARY OF STATE,

*Appellant,*

v.

MOVE TEXAS ACTION FUND,

*Appellee.*

On Appeal from the  
419th Judicial District Court, Travis County

**UNOPPOSED FIRST MOTION TO EXTEND TIME TO FILE  
APPELLANT'S OPENING BRIEF**

TO THE HONORABLE THIRD COURT OF APPEALS:

1. As currently scheduled, Appellant Ruth Hughs, in her official capacity as Texas Secretary State (Secretary), must file her opening brief on November 12, 2020.
2. Pursuant to Texas Rules of Appellate Procedure 38.6(d) and 10.5(b), the Secretary seeks an extension of 21 days to file her opening brief, until December 3, 2020.

3. This extension is sought to give the parties an opportunity to confer about whether it is possible to conclude this case without further court intervention.

4. This extension is sought in the interest of justice, not for delay, and no party will be prejudiced if this unopposed first request for an extension is granted.

5. This is the Secretary's first request for an extension.

6. For the foregoing reasons, the Secretary respectfully requests that the Court grant a 21-day extension of time to file her opening brief, making that brief due on December 3, 2020.

Respectfully submitted,

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/s/ Anne Marie Mackin  
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### **CERTIFICATE OF CONFERENCE**

I certify that on November 5, 2020, I conferred with counsel for Appellee, who indicated she did not oppose the relief requested herein.

/s/ Anne Marie Mackin

ANNE MARIE MACKIN

Assistant Attorney General

### **CERTIFICATE OF SERVICE**

On November 6, 2020, this document was served electronically Kennon L. Wooten, lead counsel for the Appellee, via [kwooten@scottdoug.com](mailto:kwooten@scottdoug.com).

/s/ Anne Marie Mackin

ANNE MARIE MACKIN

Assistant Attorney General

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